

The Indianapolis Star

Legal Aid groups find they're now the needy

By Vic Ryckaert

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Winnie Boyd's home is crumbling around her, but it's all the 92-year-old has, and she is not leaving without a fight.

The Marion County Health Department wants Boyd to fix her Downtown home or it will ask a judge to declare it uninhabitable. The latest round of the three-year battle took place Tuesday when the court gave Boyd two weeks to fix a damaged bathroom ceiling.

Fighting for her in court was the lawyer she never asked for and doesn't particularly like, Orville Copsey.

Copsey, 71, is a staff attorney with The Indianapolis Legal Aid Society, one of about half a dozen local agencies providing legal help to those who cannot afford to pay.

But Legal Aid, and other organizations like it, is running out of money. If it doesn't get more cash, people like Boyd will not have lawyers when the county Health Department wants to declare their homes unsafe and force them to move.

"We're in deficit spending right now," said John Floreancig, Legal Aid's director. "We don't have that many attorneys to begin with. They're already asked to do a lot more than what they're paid."

Legal Aid, along with most of the 90 local United Way agencies, saw a 7 percent budget cut this year. The reduction came on the heels of a 3.5 percent cut in United Way funding in 2001. Officials at the United Way of Central Indiana say they had to make the cuts because people are giving less.

There are plenty of people in need. The 2000 census shows about 236,000 Marion County residents are living at or below the poverty line.

"We're moving in a direction of a fluid, diverse and unfortunately lower-income community," Marion Superior Court Judge David Dreyer said. "The result of that is more people who need lawyers. At the same time you've got agencies that have not had a significant increase in funding in years."

Dreyer is chairman of the Heartland Pro-Bono Council, an Indiana Supreme Court-sponsored effort to recruit and encourage private attorneys to donate their services to the poor.

Each year, about 15,000 people living in Marion and surrounding counties who qualify for free legal assistance never get it because not enough lawyers are available, Dreyer said.

The number of available lawyers is also limited by funding problems for all agencies helping the indigent.

"They get shut out of the system," Dreyer said. "When that happens, we all lose."

Fund raising always has been an issue for Legal Aid. Previous fund-raising efforts have included charity dinners and golf outings, but the latest unprecedented shortfall has prompted Legal Aid to do something it has never done in its 62-year history -- beg.

The group is visiting local law firms with a slick new video, a glossy brochure and an open palm.

The group should finish the year in the black if it can raise about \$150,000 by the end of the year, Floreancig said.

Legal Aid helped 7,986 needy clients navigate the civil courts in Marion and the surrounding counties last year, on a budget of about \$650,000 a year. The organization, which has six full-time and five part-time attorneys, prides itself on setting up face-to-face meetings with a lawyer within a day after a person calls for help.

Legal Aid's clients are Hoosiers who make no more than 25 percent above the federal poverty line -- that's an annual household income of \$11,225 for a single person; \$15,150 for a family of two and \$22,600 for a family of four.

Besides defending senior citizens fighting to keep their homes, the group also may help women escape abusive mates or renters get heat or water turned back on.

The nonprofit Neighborhood Christian Legal Clinic is coping with its own money problems, said the group's board President Lynn Tyler.

"The demand for our services is out there, and it's big," Tyler said.

The Christian Legal Clinic employs two full-time and one part-time attorney and enlists the aid of about 100 volunteer lawyers to help families in need. The group is also reaching out to Indianapolis' growing Hispanic community.

Indiana Legal Services, which receives about \$7.5 million a year, primarily from the federal government, has felt a similar pinch. Things got so bad last fall that Legal Services' Marion County office stopped accepting clients for 30 days. The group handles about 10,500 cases each year.

"I think it's an issue that faces a lot of different legal services and organizations all across

the country," Legal Services' director Norman P. Metzger said.

Metzger laid off 14 people in December and left about 11 positions over the last two years unfilled. His staff numbers about 110 people statewide, including secretaries, paralegals and about 50 lawyers. The Indianapolis office is one of nine branch offices.

Budget concerns weigh heavily on Winnie Boyd, too. She can see daylight through her kitchen ceiling, the wooden siding is falling, and the floor sags. She knows the home she has owned for more than 30 years has problems, but she can't afford to fix everything.

"This is the worst house I ever lived in," she said Monday, as a Health Department inspector and her attorney toured the home.

"I'm tired of being annoyed," she said. "I went this long without trouble."

She wants to stay in her home. She says her taxes are paid and insists her home is safe despite its flaws. She can't understand why the Health Department wants to take it away from her.

Boyd wasn't looking for Orville Copsey to be her lawyer. She doesn't trust him or the health inspector she thinks wants to take her home away. Copsey took her case after the health inspectors began prodding around her home.

He was there during Monday's inspection to make sure her rights were respected. He was there again Tuesday in court.

"If they're going to do something as drastic as an order to vacate, I want to be standing right there to second-guess everything they find," he said. "Sometimes they can be very particular."